

MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

February 4, 2021

Montgomery County Council
Stella B. Werner Council
Office Building
Rockville, MD 20850

RE: Bill 46-20

Dear Councilmembers,

The Maryland Coalition to Reform School Discipline (“CRSD”) is a statewide coalition of advocates, service providers, and concerned community members committed to making discipline fair and appropriate to the infraction and responsive to students’ behavioral needs so as to keep youth on track to graduate. CRSD is committed to ensuring that Maryland schools are safe and free of law enforcement. **CRSD supports Montgomery County student leaders, educators, and community members in calling on the County Council to pass Bill 46-20, which would remove School Resource Officers (SROs) from Montgomery County Public Schools (MCPS).**

There is no empirical evidence that SROs keep students and educators safe.¹ There is, however, years of national, state, and local data demonstrating that students of color and students with disabilities are disproportionately harmed by the presence of police in schools. In MCPS during the 2018-19 school year, Black students received 45% of school-based arrests in MCPS despite representing 22% of the student population, even though data demonstrates that Black students misbehave at the same rates as their peers.² Special needs students with Individualized Education Programs (IEPs) received 25% of arrests in MCPS despite representing 12.2% of the student population, and an additional 6 students with Section 504 Plans were subject to school-based arrests.³ According to data from the U.S. Department of Education’s 2015-16 Civil Rights Data Collection, students with disabilities nationally are 2.9% more likely to be arrested than students without disabilities when police are present in schools.⁴ Black boys with disabilities suffer the highest arrest rate, at five times the rate for all students.⁵

The mere presence of SROs in schools dramatically increases the frequency with which students become involved with the criminal or juvenile justice system for minor behaviors and low-level

¹ National Public Radio, Why There’s a Push to Get Police Out of Schools (June 23, 2020), <https://www.npr.org/2020/06/23/881608999/why-theres-a-push-to-get-police-out-of-schools>.

² Maryland State Department of Education, Maryland Public Schools Arrest Data: School Year 2018-19 (2020), <http://marylandpublicschools.org/stateboard/Documents/2020/0623/MarylandPublicSchoolsArrestData20182019.pdf>

³ *Id.*

⁴ ACLU, COPS AND NO COUNSELORS: HOW THE LACK OF MENTAL HEALTH STAFF IS HARMING STUDENTS 23 (March 2019), https://www.aclu.org/sites/default/files/field_document/030419-acluschooldisciplinereport.pdf.

⁵ *Id.* at 30.

offenses like fighting and disorderly conduct.⁶ School districts default to relying on SROs to address routine behavior issues that arise in schools. As a result, SROs react and respond to students engaged in everyday behaviors that are consistent with adolescent development and that do not pose a safety risk to themselves, other students, or school personnel. Unsurprisingly, these law enforcement interactions with schoolchildren are linked inextricably to race, as “schools with higher percentages of [B]lack and [Latinx] students are more likely to employ school resource officers”⁷ For students with disabilities, we have seen first-hand students criminalized for non-violent, disability-related behavior. We are also concerned about the risk of harm for students with disabilities that can result from being physically restrained or secluded by police at school, aversive interventions that already disproportionately impact students with disabilities.

The impacts of these interactions with SROs are far reaching and life altering. Research shows that even one instance of police contact increases the likelihood that a young person will have further involvement with the justice system, fall behind, and/or ultimately drop-out of school.⁸ In addition, student contact with SROs shapes their outlook on law enforcement, laws, and rules, as they “perceive their oppressive interactions with SROs as representative of how all [police] officers will treat them.”⁹

There are successful alternatives to the SRO model. The city of Toronto, the largest school district in Canada, successfully removed police from schools in 2017 and put unarmed “safety monitors” without arresting powers in schools to walk the halls and de-escalate and resolve conflicts.¹⁰ The results have been positive with no increase in school-based violence, declines in suspensions and expulsions, and declines in police involvement in student disciplinary incidents. Further, a Minnesota school district that serves students with significant social-emotional needs and learning disabilities, successfully removed its SROs four years ago and replaced them with Student Safety Coaches.¹¹ “These staff specialize in mental health, de-escalation, restorative justice and safe physical interventions. Their primary focus — and skill set — lies in cultivating trusting relationships with students so that they can ward off and mitigate behavior issues.”¹² This alternative model to SROs has proven effective. “According to district data, in the pilot school, arrests went from 65 to 12 in the first year. Now, across all four school

⁶ DIGNITY IN SCHOOLS CAMPAIGN, A RESOURCE GUIDE ON COUNSELORS NOT COPS 4 (September 2016), http://www.dignityinschools.org/wp-content/uploads/2017/10/Resource_Guide-on-CNC-1.pdf

⁷ Kristin Henning, *Boys to Men: The Role of Policing in the Socialization of Black Boys*, in POLICING THE BLACK MAN 67 (Angela J. Davis ed., 2017) (citation omitted). See U.S. DEP’T OF EDUCATION, OFFICE OF CIVIL RIGHTS, 2013-2014 CIVIL RIGHTS DATA COLLECTION: A FIRST LOOK 5 (2016) (greater percentage of high schools with “high [B]lack and [Latinx] student enrollment” have sworn law enforcement officers, including SROs, than other high schools), <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>.

⁸ Stephanie Ann Wiley, *The Amplification of Deviance Following Police Contact: An Examination of Individual and Neighborhood Factors among a Sample of Youth*, 35 (July 2, 2014), <https://irl.umsl.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1244&context=dissertation>.

⁹ Henning, *supra* note 5, at 66

¹⁰ Kalyn Blesha, Canada’s Largest School District Ended Its Police Program. Now Toronto May Be an Example for U.S. Districts Considering the Same. Chalkbeat (June 19, 2020)

¹¹ <https://www.minnpost.com/education/2020/06/no-police-in-schools-this-minnesota-district-committed-to-an-alternative-four-years-ago/>

¹² *Id.*

buildings, the district averages five arrests per year.” We urge the County Council to be leaders and enact visionary school policing reform by passing Bill 46-20. MCPS can replace the punitive SRO model with an alternative model aimed at supporting students’ positive behavior, prioritizing their social-emotional well-being, and strengthening and investing in relationships among students, staff, and parents so that our students may thrive.¹³

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CRSD Members

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Disability Rights Maryland
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Community Law in Action
End Racism FCPS
Family League of Baltimore
NARAL Pro-Choice Maryland
Office of the Public Defender
Open Society Institute
Project HEAL at Kennedy Krieger Institute
Public Justice Center
Restorative Counseling Services
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¹³ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, Final Report and Collaborative Action Plan at 21- 22 (2018), <https://www.law.umaryland.edu/media/SOL/pdfs/Programs/ADR/STPP%20%20RP%20Commission%20Final%20Report.pdf>.